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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/772,914	01/31/2001	Cheng-Shing Lai	3313-0273P	1111
2292	7590	06/17/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			FOX, JAMAL A	
			ART UNIT	PAPER NUMBER
			2664	5

DATE MAILED: 06/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/772,914

Applicant(s)

LAI ET AL.

Examiner

Jamal A Fox

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 January 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: The "transceiver", "buttons", and "display" mentioned on page 3 line 3 of the specification are not in the drawings. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 4, 5, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saulsbury.

Referring to claim 1, Saulsbury discloses an Internet phone (Fig. 1, ref. signs 102.1, 102.2, 102.3 and respective portions of the spec.) that transmits signals through a USB interface (USB interface col. 5 lines 56-65), the Internet phone comprising a thin client (thin client 106, col. 5 lines 56-65 and Fig. 1 ref. signs 106.1, 106.2, 106.3 and respective portions of the spec.) and a digital phone (Fig. 1, ref. sign 114 and respective portions of the spec.) with the USB interface (USB interface col. 5 lines 56-65)

connecting in between so that with the online function of the thin client a telephone conversation can be achieved, wherein the telephone conversation procedure (col. 3 line 56-col. 7 line 29) comprises the steps of:

inputting outgoing message signals through the digital phone (col. 4 lines 40-50);  
transmitting the outgoing message signal to the thin client through the USB interface (col. 5 line 66-col. line 16);

converting the outgoing message signals into an outgoing message VOIP (voice over Internet phone) package in the thin client (col. 6 lines 23-32);

converting the incoming message VOIP package into incoming message signals in the thin client (col. 6 lines 23-32);

transmitting the incoming message signals to the digital phone through the USB interface (col. 4 lines 3-21 and col. 5 line 66-col. line 16); and

outputting the incoming message signals through the digital phone (col. 4 lines 3-21), but does not explicitly teach of storing the outgoing message VOIP package on a local are network (LAN) and transmitting the outgoing message VOIP package to a target through the Internet and returning an incoming message VOIP package from the target to the LAN through the Internet. However, Saulsbury discloses a Wide Area Network employing Frame Relay and ATM (col. 6 lines 14-16). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have included storing the outgoing message VOIP package on a local are network (LAN) and transmitting the outgoing message VOIP package to a target through the Internet and returning an incoming message VOIP package from the target to the LAN

through the Internet because the Internet is a WAN that is capable of using VOIP for telephony applications as suggested by Saulsbury.

Referring to claim 2, Saulsbury discloses the Internet phone of claim 1, wherein the thin client comprises a windows terminal (col. 2 lines 20-25 and col. 2 lines 33-35) and a network terminal (col. 2 lines 16-19, Fig. 1 ref. signs 106.1, 106.2, 106.3 and respective portions of the spec.).

Referring to claim 4, Saulsbury discloses an Internet phone (Fig. 1, ref. signs 102.1, 102.2, 102.3 and respective portions of the spec.) that transmits signals through a USB interface (USB interface col. 5 lines 56-65), the Internet phone comprising a thin client (thin client 106, col. 5 lines 56-65 and Fig. 1 ref. signs 106.1, 106.2, 106.3 and respective portions of the spec.) and a digital phone (Fig. 1, ref. sign 114 and respective portions of the spec.) with the USB interface connecting in between so that with the online function of the thin client a telephone conversation can be achieved, wherein the telephone conversation procedure (col. 3 line 56-col. 7 line 29) comprises the steps of:

inputting outgoing message signals through the digital phone (col. 4 lines 40-50);  
transmitting the outgoing message signals to the thin client through the USB interface (col. 4 lines 3-21 and col. 5 line 66-col. line 16);

converting the outgoing message signals into an outgoing message VOIP (voice over Internet phone) packet in the thin client (col. 6 lines 23-32) but does not explicitly teach of storing the outgoing message VOIP package on a local area network (LAN) and transmitting the outgoing message VOIP package to a target through the Internet. However, Saulsbury discloses a Wide Area Network employing Frame Relay and ATM

(col. 6 lines 14-16). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have included storing the outgoing message VOIP package on a local area network (LAN) and transmitting the outgoing message VOIP package to a target through the Internet because the Internet is a WAN that is capable of using VOIP for telephony applications as suggested by Saulsbury.

Referring to claim 5, Saulsbury discloses the Internet phone of claim 4, wherein the thin client comprises a windows terminal (col. 2 lines 20-25 and col. 2 lines 33-35) and a network terminal (col. 2 lines 16-19, Fig. 1 ref. signs 106.1, 106.2, 106.3 and respective portions of the spec.).

Referring to claim 7, Saulsbury discloses an Internet phone (Fig. 1, ref. signs 102.1, 102.2, 102.3 and respective portions of the spec.) that transmits signals through a USB interface (USB interface col. 5 lines 56-65), the Internet phone comprising a thin client (thin client 106, col. 5 lines 56-65 and Fig. 1 ref. signs 106.1, 106.2, 106.3 and respective portions of the spec.) and a digital phone (Fig. 1, ref. sign 114 and respective portions of the spec.) with the USB interface connecting in between so that with the online function of the thin client a telephone conversation can be achieved, wherein the telephone conversation procedure (col. 3 line 56-col. 7 line 29) comprises the steps of:

converting the incoming message VOIP package into incoming message signals in the thin client (col. 6 lines 23-32);

transmitting the incoming message signals to the digital phone through the USB interface (col. 4 lines 3-21 and col. 5 line 66-col. line 16); and

outputting the incoming message signals through the digital phone (col. 4 lines 3-21), but does not explicitly teach of returning an incoming message VOIP package from the target to the LAN through the Internet. However, Saulsbury discloses a Wide Area Network employing Frame Relay and ATM (col. 6 lines 14-16). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have included returning an incoming message VOIP package from the target to the LAN through the Internet because the Internet is a WAN that is capable of using VOIP for telephony applications as suggested by Saulsbury.

Referring to claim 8, Saulsbury discloses the Internet phone of claim 7, wherein the thin client comprises a windows terminal (col. 2 lines 20-25 and col. 2 lines 33-35) and a network terminal (col. 2 lines 16-19, Fig. 1 ref. signs 106.1, 106.2, 106.3 and respective portions of the spec.).

4. Claims 3, 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saulsbury in view of Chiu et al.

Referring to claims 3, 6 and 9 Saulsbury discloses the Internet phone (Fig. 1, ref. signs 102.1, 102.2, 102.3 and respective portions of the spec.) wherein the digital phone further comprises a transceiver (a device which combines both transmission and reception capabilities, Fig. 1 ref. sign 114) and a display (col. 2 lines 33-38) but does not explicitly teach of buttons. However, Chiu et al. discloses an Internet phone with buttons (Fig. 3). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have included the buttons of Chiu et al. to

the invention of Saulsbury in order to create a telephone connection between the telephone appliance and a calling party as suggested by Saulsbury.

### **Conclusion**

**5. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 305-3988, (for formal communications intended for entry)

**Or:**

(703) 305-3988 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA. 22202, Sixth Floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamal A. Fox whose telephone number is (703) 305-5741. The examiner can normally be reached on Monday-Friday 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (703) 305-4366. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9315 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

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J.A.F.

**Jamal A. Fox**

A handwritten signature in black ink, appearing to read 'W. Chin', with a long horizontal stroke extending to the right.

**WELLINGTON CHIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600**